

CITY OF DUNWOODY
February 13, 2012
CITY COUNCIL MEETING MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting February 13, 2012 at 7:00 PM. The meeting was held in the City of Dunwoody City Hall, 41 Perimeter Center East, Dunwoody, Georgia 30346. Present for the meeting were the following:

Voting Members: Mayor Mike Davis
Council Member Lynn Deutsch
Council Member John Heneghan
Council Member Terry Nall
Council Member Denis Shortal
Council Member Doug Thompson

Also Present: City Manager Warren Hutmacher
City Clerk Sharon Lowery
City Attorney Brian Anderson
Assistant City Attorney Lenny Felgin
Chief of Police Billy Grogan
Finance Director Chris Pike
Public Works Director Michael Smith
Deputy Director of Public Works Carl Carver
Community Development Director Steve Dush
Assistant to the City Manager Kimberly Greer

A. CALL TO ORDER

Mayor Davis called the meeting to order.

B. ROLL CALL

1. Proclamation - "Teen Dating Violence Prevention and Awareness Month".

City Clerk Sharon Lowery read the Proclamation. Mayor Davis presented the Proclamation to Solicitor-General Sherry Boston. Solicitor-General Sherry Boston spoke about teen violence prevention and awareness, and recognized Council Member Heneghan and Chief of Police Billy Grogan for taking the lead on this matter.

C. INVOCATION

Led by Council Member Shortal. Council Member Shortal asked that there be a moment of reflection for Larry Echikson, a City of Dunwoody bailiff who passed away last week.

D. PLEDGE OF ALLEGIANCE

Led by Council Member Nall.

E. MAYOR AND COUNCIL COMMENTS

Mayor Davis said that there was a breach of Executive Session, and that the Executive Session was validly held. Mayor and Council has asked Bob Wilson to

look into this matter and report to full Council his findings.

Council Member Deutsch said that on February 28, 2012 from 6:30 - 8:00 p.m., there will be a public meeting/open house held at City Hall regarding installation of a water pump at the corner of N. Shallowford, Chamblee Dunwoody and Peeler.

Council Member Shortal said that there will be a Town Hall Meeting this Thursday, February 16, 2012 at 7:30 p.m. at the student center at Oglethorpe University regarding the Brookhaven City movement; the State of the City will be held on February 21, 2012 at 6:00 p.m. at Crowne Plaza Hotel Atlanta Perimeter at Ravinia; the Georgia primary election is March 6, 2012, and he encouraged everyone to exercise their right to vote; and the Polar Plunge is this Saturday, February 18, 2012.

Chief Grogan said that the Polar Plunge will be held this Saturday, February 18, 2012 at 1:00 p.m. at Lake Lanier Islands to benefit Special Olympics Georgia. Donations can be made by going to the Dunwoody Police Department website or the Dunwoody Police Department Facebook page, or by contacting Chief Grogan.

F. MINUTES

1. Approval of January 23, 2012 City Council Work Session Minutes.

Council Member Nall motioned to approve the January 23, 2012 City Council Work Session Minutes. Council Member Heneghan seconded. The motion was voted and carried unanimously (6 - 0).

2. Approval of January 23, 2012 City Council Meeting Minutes.

Council Member Deutsch motioned to approve the January 23, 2012 City Council Meeting Minutes. Council Member Shortal seconded. The motion was voted and carried unanimously (6 - 0).

G. APPROVAL OF MEETING AGENDA (add or remove items from agenda)

Council Member Nall motioned to approve the meeting agenda. Council Member Deutsch seconded. The motion was voted and carried unanimously (6 - 0).

H. PUBLIC COMMENT

Danny Ross - congratulated the new members of the Council. Mr. Ross spoke about public/private partnerships for the City's parks, and asked Council to establish a policy for this, and to place it on the next agenda for discussion.

Phil Sadd - said he and his neighbors have an interest in the Walmart grocery store that is proposed on Winters Chapel. They believe this will be positive for the community, and request that Council bring this matter to a close as soon as possible.

I. CONSENT AGENDA

1. Approval of Leisure Ridge Agreement. (Brian Anderson)

City Attorney Brian Anderson presented this matter.

Council Member Shortal motioned to approve the Consent Agenda. Council Member Heneghan seconded. The motion was voted and carried unanimously (6 - 0)

J. ORGANIZATIONAL AND PROCEDURAL ITEMS

There were none.

K. REPORTS AND PRESENTATIONS

1. Financial Report for the Month Ended December, 2011

Finance Director Chris Pike presented the financial report for the month ended December, 2011. Mr. Pike reported that the City exceeded its budgeted revenues for the month ended December, 2011. Mr. Pike said that the audit process is currently underway, and staff will bring an audit report to Council in March or April.

L. UNFINISHED BUSINESS

1. Approval of Intergovernmental Agreement Between City of Dunwoody and Gwinnett County re: Development on Winters Chapel Road. (Brian Anderson)

City Attorney Brian Anderson presented this matter. Mr. Anderson said that all but one small corner of building is in Gwinnett County, but that the City owns all of the right-of-way and the majority of the parking lot. Mr. Anderson said that Gwinnett County will take the lead on the project, and has agreed to pay \$30,000.00 to the City for future traffic studies and improvements the City deems necessary and appropriate for the area of the project. Trae Rushing was present on behalf of Walmart to answer questions of Council.

Council Member Heneghan motioned to Approve Approval of Intergovernmental Agreement Between City of Dunwoody and Gwinnett County re: Development on Winters Chapel Road. (Brian Anderson) Council Member Nall seconded. The motion was voted and carried unanimously (6 - 0).

M. NEW BUSINESS (WORK SESSION ITEMS)

1. Discussion of Stormwater Utility Rate. (Michael Smith)

Public Works Director Michael Smith gave a PowerPoint presentation on stormwater utility rate, and said that staff recommends that Council approve a base stormwater utility fee of \$5.75 per month to provide approximately \$925,000.00 annually for pipe replacement.

2. Discussion of Unit Price Contract for Stormwater Pipe Repair and Replacement. (Michael Smith)

Deputy Director of Public Works Carl Carver presented this matter. Mr. Carver said that staff recommends approval of contracts with the following contractors for standby stormwater repair and replacement construction projects: Georgia

Development Corporation and Southern Premier Contracting, Inc. for general utility contract matters; and Inland Waters Pollution Control, Inc. for pipe lining contract matters.

3. Discussion of Film and Video Policy. (Kimberly Greer)

Assistant to the City Manager Kimberly Greer presented this matter. She said that staff looked at best practices, and drafted a film and video policy for Council's consideration. Ms. Greer said that staff recommends that the City move forward with the policy. Following discussion, City Manager Warren Hutmacher said that staff will bring this matter before Council at the March 12, 2012 City Council Work Session.

4. Discussion of Fees for Filming Permits. (Kimberly Greer)

This matter was deferred until the March 12, 2012 City Council Work Session.

5. Discussion of Contract with ConnectSouth. (Warren Hutmacher)

City Manager Warren Hutmacher presented this matter, and said that staff recommends that Council award this contract for 2012 consulting services in the amount of \$57,000.00. Following discussion, Council Member Shortal requested that the consultants provide the City with a list of the House and Senate bills that affect the City. Mayor Davis said he would like to receive a report on just the House and Senate bills that affect the City.

6. Discussion of GIS Fees. (Steve Dush)

Community Development Director Steve Dush presented this matter. Discussion was had.

7. Zoning Code Rewrite Timeline and Public Involvement Plan. (Steve Dush)

Community Development Director Steve Dush presented this matter. Mr. Dush said that the interactive website is scheduled to be completed by Friday, February 17, 2012. Mr. Dush said that staff will bring a resolution for appointment of the Sounding Board before Council at the February 27, 2012 City Council Meeting.

Council Member Nall said that the three members of the Zoning Code Rewrite Sounding Board to be appointed by the City Manager should also be approved by the Council. City Manager Warren Hutmacher said he will notify Council as those nominations come forward.

Mayor Davis said it would be good to have the ability to have a few nominees as alternate members to fill any vacancies if a later need arose for an additional member.

N. OTHER BUSINESS

There was none.

O. INITIATION OF TEXT AMENDMENTS

There were none.

P. PUBLIC COMMENT

Bill Grossman - said Bob Wilson is an excellent choice for the investigation. He spoke regarding the Georgetown/North Shallowford Master Plan, and said that he thinks that 50% of the 16 acres of the PVC Farm should remain greenspace.

Danny Ross - spoke regarding the Film and Video Policy, and said that the City should be as movie friendly and camera ready as possible. Mr. Ross said that as the author of City's Ethics Policy, he is pleased to hear of the investigation.

Bob Lundsten - said that the hiring of Bob Wilson is a tremendous action and a good choice.

Q. MAYOR AND COUNCIL CLOSING COMMENTS

Mayor Davis said that the citizens understand Mayor and Council's reason for discussing certain things in private. Mayor Davis asked the citizens to trust Mayor and Council, and let them get through the investigation.

R. EXECUTIVE SESSION

Council Member Shortal motioned to break for Executive Session for purposes of legal, real estate, and personnel discussions. Council Member Deutsch seconded. The motion was voted and carried unanimously (6 - 0).

S. ADJOURNMENT

Council Member Shortal motioned to adjourn. Council Member Nall seconded. The motion was voted and carried unanimously (6 - 0).

Approved by:

Michael G. Davis, Mayor

Attest:

Sharon Lowery, City Clerk